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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,516	09/13/2001	Matthew Sommers	GLO 2 0078	2609
27885	7590	02/07/2005	EXAMINER	
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP 1100 SUPERIOR AVENUE, SEVENTH FLOOR CLEVELAND, OH 44114			SAWHNEY, HARGOBIND S	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/682,516

Applicant(s)

SOMMERS ET AL.

Examiner

Hargobind S Sawhney

Art Unit

2875

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 10 January 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

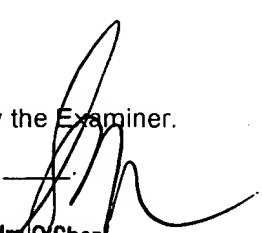
Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-9, 12-14 and 16-19.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☒ Other: See Continuation Sheet


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800

Continuation Sheet:

The Request for Reconsideration, including amended claims, filed on January 10, 2005 in response to the final rejection has been considered but is not deemed to place the application in condition for allowance.

As detailed in the final rejection mailed on November 30, 2004, Tung (US Patent No.: 5,842,297) in view of Tokunaga (US Patent No.: 5,375,043) and Tarne et al. (US Patent No.: 6,443,582 B1) discloses a lighting apparatus (Figure 2) meeting the limitations of claims 1-3, 5, 7 and 9; Gwo-Juh et al. (US Patent No.: 6,164,791) in view of Kuwabara et al. (US Patent No.: 6,508,564 B1) meets the limitations of claims 12 and 13; Tarne et al. (US Patent No.: 6,443,582 B1) in view of Lea et al. (US Patent Application Pub. No.: US 20010038539 A1) meets the limitations of claims 16, 18 and 19; and Tokunaga (US Patent No.: 5,375,043) meets the limitations of claim 17.

Comments on the amended claims:

Regarding Claim 1, the limitation "microstructures arranged on a pre-selected areas on a curved surface within the guide light" lacks specific structural limitations. Any structural arrangement is normally pre-selected by the inventor. The limitation "a series of localized light events" and "associated with respective arrangement of microstructures" need to be rephrased for definite and specific recitation. Additionally, "pre-selected areas on a curved surface" should be rephrased with details provided in last three lines on page 7, and first two lines on page 8 of the amendment filed on January 10, 2005.

The above-indicated comments should also be considered for rephrasing respective limitations of claims 12 and 16. Finally, Tokunaga (US Patent No.: 5,375,043) meets the limitations of the amended claim 17.

Please refer to the last office action for additional details supporting the rejections of claims of the instant application.